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FM AMCONSUL SURABAYA

TO RUEHC/SECSTATE WASHDC 0510

RUEHJA/AMEMBASSY JAKARTA 0500

INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS

RHHMUNA/HQ USPACOM HONOLULU HI

RUEHBY/AMEMBASSY CANBERRA 0228

RUEHWL/AMEMBASSY WELLINGTON 0196

RUEHJS/AMCONSUL SURABAYA 0523

UNCLAS SURABAYA 000124

SIPDIS

DEPT FOR G/TIP

E.O. 12958: N/A

TAGS: ELAB KTIP ECON PGOV PHUM SOCI ID

SUBJECT: SURABAYA TIP SEMINAR: DIFFICULTIES REMAIN IN COMBATTING TIP

REF: SURABAYA 99 "NGOS RATE SURABAYA'S OFFICIAL EFFORTS TO COMBAT TIP"

This message is Sensitive but Unclassified. Please protect accordingly.

¶1. (SBU) Several attendees at a recent Trafficking in Persons (TIP) seminar in Surabaya described prosecutors and judges as a weak link in the enforcement of TIP laws. Recently tightened government regulations were said to have made less-educated workers more vulnerable to trafficking. The Indonesian government must address the competing priorities of combating TIP and increasing remittances from overseas Indonesian workers.

¶2. (SBU) The Human Rights Center at the Surabaya University held a Trafficking in Persons Seminar on December 16, 2009. Around 50 people representing NGOs, government agencies (such as the Planning and Development Board, the Social Department, and the Health Department), and the police attended the seminar. There were no prosecutors or judges in attendance. The seminar focused on describing the challenges surrounding TIP. Several participants, both NGO and government agency representatives, commented that they were already well aware of the challenges and need more "tools" to address those challenges.

¶3. (SBU) Mimaningsih, the Director of the Women and Children Protection Unit of the Surabaya Police, said that a lack of commitment from prosecutors and judges is a major problem with combating TIP in Surabaya. She said the police focus on arresting traffickers and applying the law, while prosecution of trafficking cases is very slow when prosecuted at all. Widhiyanti, a lawyer who focuses on TIP cases, said that prosecutors will frequently drop TIP cases due to a lack of evidence. However, he said that the law only requires a single witness, which can be the victim, plus one piece of evidence such as a fake identification document in order to prosecute a TIP case. Contrary to the law, judges often require a prosecutor to demonstrate more evidence than this minimum requirement. The Surabaya TIP NGO community has expressed similar concerns (reftel).

¶4. (SBU) Sigit Priyono of the East Java Manpower Office said the government has focused on improving the placement of migrant workers abroad by tightening regulations. These regulations require workers to have at least a high school level education and attempt to make employment agencies responsible for their workers' safety. However, he said that these regulations have caused an increase in trafficking cases because poorly educated workers seeking employment overseas are unable to go through creditable employment agencies. They then become vulnerable to unscrupulous agencies that engage in trafficking activities. Cholily, the Chairman of the Indonesian Migrant Worker Union, said that these poorly educated workers are at the greatest risk of trafficking because they lack information about safe and legal methods of finding employment overseas.

¶ 5. (SBU) Cholily also said that the Indonesian government has competing interests when it comes to dealing with trafficking. While the government is determined to improve the quality of life for its overseas workers by reducing trafficking, it is also focused on increasing the number of overseas workers in order to increase remittances. According to Cholily, overseas Indonesian workers sent approximately \$10 billion in remittances in 2008. Muhammad Nour, from the International Labor Organization, said that about \$500 million of that came to East Java. Chollily said that the government aims to increase the total remittance to \$15 billion, although she didn't provide any timeline for that goal.

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